

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPPIL No. 58 of 2019**

Sanjay Rajak **versus** State of Chhattisgarh & Others
alongwith

WPPIL No. 63 of 2019**Order Sheet**

11/11/2025	Heard Mr. Sunil Otواني, learned Senior Advocate, assisted by Mr. Amit Soni, learned counsel for the petitioner in WPPIL No. 58 of 2019 and Mr. Palash Tiwari, learned counsel for the petitioner in WPPIL No. 63 of 2019. Also heard Mr. Yashwant Singh Thakur, learned Additional Advocate General, appearing for the State, Mr. Dhiraj Kumar Wankhede, learned counsel, appearing for NHAI, Ms. Anmol Sharma, learned Central Government Counsel, appearing for

	UOI, Ms. Mamta Mahilange, learned counsel holding the brief of Dr. Sudeep Agrawal, learned counsel, appearing for respondents No. 13 & 17 in WPPIL No. 58 of 2019, Mr. Adarsh Rajput, learned counsel holding the brief of Mr. Rajnish Singh Baghel, learned counsel, appearing for respondent No. 14 in WPPIL No. 63 of 2019 and respondent No. 16 in WPPIL No. 58 of 2019, Mr. Dinesh Yadav, learned counsel on behalf of Mr. Anuroop Panda, learned counsel, appearing for respondent No. 11 in WPPIL No. 58 of 2019, Mr. Anil S. Pandey, learned counsel for the respondent No. 19 in WPPIL No. 58 of 2019, Mr. Sourabh Sharma and Mr. Tarkeshwar Nande, learned counsel for respondent No. 8 in WPPIL No. 58 of 2019 and respondent No. 7 in WPPIL No. 63 of 2019, Mr. A.S. Kachhawaha, learned counsel for respondent No. 15 in WPPIL No. 58 of 2019, Mr. Goutam Khetrapal, Mr. Mayank Chandrakar and Mr. Prakhar Dashore, learned counsel on behalf of Mr. R.S. Patel, learned counsel for the intervenor.
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Learned State counsel submits that this Court, vide order dated 19.09.2025, directed the Chief Secretary, Government of Chhattisgarh to file his personal affidavit. In compliance thereof, the Chief Secretary, Government of Chhattisgarh has filed his personal affidavit on 10.11.2025, which is on record. The relevant portion of the said affidavit reads as under:

“2. It is most humbly submitted by the deponent that in compliance of the Hon'ble Court's order dated 19.09.2025 an state level meeting of the state officials was convened in the office of the deponent on 24.10.2025. Copy of letter dated 13.10.2025 is filed herewith as ANNEXURE D/1.

3. That, the meeting was held under the That, chairmanship of Chief Secretary, Government of Chhattisgarh on 24.10.2025 regarding compliance of order dated 19.09.2025 passed in WP(PIL) No. 58/2019 by the Hon'ble Court. The Principal Secretary Panchayat and Rural Development Department, Secretary, Animal Husbandry Department, Secretary Urban Administration and Development Department,

Additional Director General of Police Traffic (Police), Chairman Inter-Departmental Lead Investigation Agency Road Safety, Regional Officer, N.H.I., Raipur, Regional Officer, Road Transport and Highways Raipur and Chief Engineer, Public Works Department (NH) were present in the meeting. That, in the context of the direction mentioned in the order dated 14.10.2025 of the Hon'ble High Court regarding reconsideration of the suggestions given in the application dated 22.10.2024 of Intervener, the deponent discussed the suggestions point wise as follows-

A. Suggestions related to villagers and farmers

(a) Regarding formulating a policy to take action against farmers who burn stubble: The Housing and Environment Department's notification dated 06.05.2017, under Section 19(5) of the Air (Prevention and Control of Pollution) Act, 1981, prohibits the burning of such crop residue in the fields after harvesting with immediate effect. The Department of Agriculture, State of Chhattisgarh has issued Circular dated 30.05.2017 circulated the copy of the said Act to all concerned for compliance.

	(b) <u>Regarding the appointment of shepherds (Charwaha) under MNREGA</u>: The Department of Panchayat & Rural Development informed that there is no provision for hiring shepherds under the scheme. The scheme allows construction of resting/sitting area/platform for animals near the National Highway. (c) Regarding the restoration of grazing land: the Department of Panchayat and Rural Development informed that some panchayats have approved grazing land near Gouthan. The deponent directed that the Rural Development Department should encourage the Panchayats to take up restoration of grasslands near Gouthans. The Department should also review the status of approved works in this regard and expedite implementation of the same. (d) <u>Regarding the systematic operation of the already established Gouthans</u>: The Animal Husbandry Department informed that the State Government has issued administrative approval for the Gaudham Yojana for the systematic operation of the already established Gouthans. In the first phase of the scheme, constructed Gouthans near the
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National Highways have been selected so that the stray animals from the National/State Highways can be removed and herded to these facilities. The deponent directed to initially select the Gram Panchayats falling within 01 km of the identified 217 accident-prone areas and undertake development of such Gouthans on priority basis.

(e) Under the PDS scheme, beneficiaries should be given paddy instead of rice, so that rice husk will be available to farmers for cattle nutrition: After discussion, it was concluded that this suggestion is not consistent with provisions under the Public Distribution System.

(f) Regarding availability of animal feed on subsidized rate through the PDS scheme: The Animal Husbandry Department stated that the Government has no plans to provide subsidized animal feed. Under the National Livestock Mission, a 50 percent grant/subsidy is provided to individuals interested in fodder production under the Fodder Development Scheme and for bank-linked projects for silage production units. The deponent directed the department that the scheme may be widely

publicised and linkages be established for Gouthans, especially those that are identified with respect to the 217 identified accident prone areas.

B. Suggestions related to cow shelters

(a) Regarding providing grant amount per animal per day to Gaushalas like neighbouring States:-The Animal Husbandry Department informed that by the notification dated 18.06.2025 of the department, the grant amount per animal unit per day to Gaushalas has been increased from Rs. 20 lakh to Rs. 25 lakh per Gaushala per year (from Rs. 25 per animal per day to Rs. 35 per animal unit per day).

(b) Regarding allotment of land to each Gaushala for grass production: The Animal Husbandry Department informed that under the Government's new Gaudham Yojana, a provision of Rs. 2.85 lakh in the first year and thereafter Rs. 2.35 lakh per year has been made as grant for the development of grazing land in 5 acres of land.

(c) Regarding providing grant Gaushalas in advance: The Animal Husbandry Department informed that the grant amount is being

provided to the Gaushalas regularly and no information or complaint has been received regarding any delays in payments of grant amounts.

(d) Regarding effective measures for the purchase of Gaushala products and waste:

The Animal Husbandry Department informed that Gaushalas are selling their products and waste locally. The deponent directed that linkages must be established between Gaushalas and the CGCDF (Chhattisgarh State Co-operative Dairy Federation) currently being managed by NDDB (National Dairy Development Board).

(e) Regarding the local administration not interfering in the activities of Gaushalas:

the Animal Husbandry Department Panchayat Department informed and the that no complaint has been received in this regard so far. The deponent directed the department to issue a letter in this regard and regarding point 16(c) regarding setting up of a system for filing and redressal of complaints.

(f) Regarding providing electricity to Gaushalas at subsidized rates:

Under the Half Electricity Bill Scheme amended by the order dated

	03.08.2025 of the Energy Department, concession has been given to Gaushalas on the basis of maximum consumption of 100 units per month. After discussions with the members of the committee present in the meeting, the deponent gave the following instructions:- 1) A concrete action plan should be made on Standard Operating Procedure to prevent road accidents caused by stray/wandering animals on National Highways and major roads. 2) The Urban Administration and Development Department should activate all the Kanji houses in the urban areas and ensure necessary arrangements for keeping stray/nomadic animals. 3) The Urban Administration and Development Department should mark the number and boundaries of stretches related to risk areas in urban areas and run a special campaign for the next one month. 4) In urban areas, stray animals should be relocated from the streets to Kanji House or Gaushalas using cow catchers as per their capacity. The District Collector should make
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arrangements to make the available cow catchers available to other urban bodies within the district as needed.

5) Special patrolling should be done by the urban bodies to remove animals from the National State Highway adjoining the urban limits, especially at night.

6) Toll free numbers 1100 (for urban areas) and 1033 (for national highways) should be widely publicised for receiving information / complaints regarding the gathering of stray animals.

7) The monitoring team, formed for the marked accident-prone stretches, should ensure prompt action on information/complaints received through the toll-free number and take steps to relocate the animals to the nearest Gaushala/Kanji house. The resolution of these complaints should be reviewed by District Collectors & Divisional Commissioners on weekly basis.

8) To repair the damaged fencing/enclosures constructed by NHAI to prevent the movement of animals from rural areas on National Highways. NHAI should appoint a Nodal officer for each stretch who can contact Nodal officers

in nearby districts to properly relocate animals from the stretches to Kanji House or Gaushala, according to available capacity. NHA must also undertake necessary repairs in such structures.

9) Options should be considered for transferring these animals to a Gaushala, handing them over to willing cattle owners and making them available free of charge to a temple or any other institution that is willing to take responsibility for take care of such cattle. The example of the Bilaspur Municipal Corporation distributing them free of charge to tribal families should also be considered.

Copy of minutes of the meeting dated 24.10.2025 is filed herewith as ANNEXURE D/2.

4. It is respectfully submitted that a meeting of the Collectors and Superintendent of Polices of the State through video conference has also been held in the chairmanship of the deponent and the issue of wandering of stray cattle on the roads has also been discussed. The deponent directed all district collectors and superintendents of police to ensure proper care of animals in kanji houses and to repair

old dilapidated kanji houses. They were instructed to work at their own level to ensure that all kanji houses are in working condition and submit proposals to the government if necessary. It is further directed to take effective steps. by all the departments with coordination to prevent accidents caused by stray animals on the roads.

The Toll contractor has the primary responsibility to prevent accidents caused by stray animals. For the construction of new toll roads, a clear term/condition should be included in the tender documents stating that the contractor/department is responsible for keeping the roads free of cattle. Old Toll contracts will also include a mandatory requirement that the roads be kept free of obstructions. It is directed to ensure that the toll contractor takes action based on the above clause. The Collector will immediately ensure that he convenes a meeting of the toll contractor/NHAI/PWD to ensure coordination and action.

As per SOP, the Collector has to constitute stretch-wise (zone wise), Gram Panchayat wise/Urban Body wise monitoring team. All the

Collectors were directed to constitute such committees and send the compliance report.

To avoid accidents caused by stray/nomadic animals, disseminate information to all animal owners through regular publicity, newspapers, news portals, social media, wall writing, radio and other IEC activities.

It is further directed that to ensure that all stray ear-tagged through the Livestock animals are Development Department and complete this task and submit a compliance report.

Further to ensure wide publicity of toll free number 1033 (NHAI) for redressal of complaints related to stray animals, and toll free number 1100 (Urban Administration and Development Department) for urban areas, and also inform the monitoring teams about the complaints received, and the resolution of the said complaints should be reviewed regularly by the concerned department.

It is directed that to ensure a one-month special campaign (day and night) is launched to prevent accidents caused by stray animals, and the campaign is widely publicized. The department should be informed of all actions taken. In addition to the relevant urban body

areas, the above special campaign should be carried out in rural areas within a 10-15 km radius with the consent and coordination of the Panchayat and Rural Development Department. Copy of minutes of the meeting dated 25.10.2025 is filed herewith as **ANNEXURE D/3**.

5. It is submitted that in pursuance to the instructions issued by the deponent, the Secretary, Government of Chhattisgarh, Department of Public Works directed the Collector of the Districts, Engineer-in-Chief, Public Works Department Raipur, Regional Officer, Road Transport and National Highway, Raipur, Regional Officer, National Highway Authority of India, Raipur and Chief Engineer, Public Works Department, National Highway, Raipur to ensure the compliance of the instructions issued in the meeting dated 24.10.2025. Copy of order dated 29.10.2025 is filed herewith as **ANNEXURE D/4**.

6. That, the Secretary, Government of Chhattisgarh, Department of Panchayat & Rural Development vide order dated 29.10.2025 directed to the Collector of the Districts and Chief Executive Officer of the Zila

Panchayats of the State for taking necessary action to prevent the accidents removing and shifting the stray cattle from the roads. Copy of order dated 29.10.2025 is filed herewith as **ANNEXURE D/5**.

7. It is further submitted that the Secretary, Government of Chhattisgarh, Department of Urban Administration and Development issued instructions to all the Collectors, Commissioner of the Municipal Corporations, Chief Municipal Officers of Municipal Council and Nagar Panchayat for preventing the accidents due to stray cattle. Copy of order dated 30.10.2025 is filed herewith as **ANNEXURE D/6**.

8. It is humbly submitted that in pursuance to the direction issued by the deponent in the meeting dated 24.10.2025 the information of the marked places where randomly cattle sitting was called from all the districts, so that the proper actions be taken to shift the cattle from the roads. Copy of chart of marked places of the districts is filed herewith as **ANNEXURE D/7**.

9. It is submitted that as per Goudham Scheme, total 14 applications of the NGOs for Goudham in Bilaspur District have been

received and the same have been sent to the Chhattisgarh Rajya Gou Seva Ayog for approval.

10. That, the Hon'ble Court vide order dated 14.10.2025 was pleased to direct the deponent to take a response on the intervener application regarding stray animals sitting on the National Highway between Bilaspur to Janjgir-Champa.

It is respectfully submitted that in the National Highway No. 49 Bilaspur-Raigarh-Odisha, after marking the place found sitting of stray cattle, 118 solar lights have been installed on 59 places and installation of 6 solar lights in 3 places are under progress. Copy of list of solar light installation with photographs are filed herewith as **ANNEXURE D/8** collectively. It is further submitted that the tender for maintenance and repairing of the road has been issued, in which Item No. 3.4 work of *(a) Removal of dead animals/birds and burying them at suitable location within two hours (b) Removal of stray animals to suitable place out of carriageway* has been included. After due process the tender has been allotted to one M/s S.D. Enterprises. Copy of tender

document is filed herewith as **ANNEXURE D/9**.

That a proposal of Rs. 41.04 lacs for installation of sign boards in National Highway 49 and 153 has also been sent to the Government of India on 01.08.2025, which is pending consideration.”

It is submitted by the learned State Counsel that some of the suggestions made in the affidavit have already been taken care of, while other suggestions were found to be not feasible; hence, no steps were taken in that regard.

Learned Senior Advocate appearing in WPIL No. 58 of 2019 has pointed out that the Hon’ble Apex Court is seized of the matter in ***Suo Motu Writ Petition (Civil) No. 5 of 2025, In Re: City Hounded by Strays, Kids Pay Price***, wherein the issue concerning stray dogs is *sub judice*. It is further submitted that the issue of stray animals found on highways has also been addressed, and certain directions have been issued to the Chief Secretaries

of all States and Union Territories.

It has been brought to the notice of this Court that in the order dated 07.11.2025, the Hon'ble Apex Court has issued directions in paragraphs 10 and 32, which are reproduced below:

“10. Accordingly, this Court issues the following directions:

A. The directions issued by the **High Court of Rajasthan at Jodhpur in D.B. Civil Writ Petition No. 14726 of 2025 vide order dated 11th August, 2025**, are hereby reaffirmed, to the extent that the municipal authorities, road transport department/Public Works Department of all the States and Union Territories and the National Highways Authority of India (NHAI) shall ensure the removal of all cattle and other stray animals from the State Highways, National Highways, and National Expressways falling within their respective jurisdictions.

B. The concerned authorities, i.e., the municipal authorities, the road and transport department/Public Works

	Department of all the States and Union Territories and the National Highways Authority of India shall undertake a joint, coordinated drive to identify stretches of highways and expressways where stray cattle or animals are frequently found, and shall take immediate steps for their removal and relocation to designated shelters. The cattle and other stray animals so picked up shall be kept in appropriate shelters or Gaushalas/cattle pounds, as the case may be, and provided with all necessary food, water, and veterinary care, in accordance with the provisions of the Prevention of Cruelty to Animals Act, 1960 and the Animal Birth Control (Dogs) Rules, 2023. C. Each authority shall constitute dedicated highway patrol teams and/or assign existing road-safety units for continuous surveillance and immediate response to reports of stray cattle or other animals obstructing the roadways. Such patrols shall function on a 24x7 basis and coordinate with local police stations, veterinary officers, and municipal authorities/Panchayati Raj
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institutions.

D. All National Highways, State Highways, and National Expressways shall have prominently displayed helpline numbers at regular intervals, enabling commuters to promptly report the presence of stray animals or accidents caused thereby. These helplines shall be linked to the control rooms of the local police, National Highways Authority of India, and district administration for real-time redressal and monitoring.

E. The Chief Secretaries of all States and Union Territories, together with the Chairperson, National Highways Authority of India, shall ensure strict enforcement of these directions through appropriate administrative orders and field-level monitoring. They shall hold the concerned officers personally accountable for lapses or recurring incidents in their respective jurisdictions.

F. The aforesaid directions shall be implemented uniformly across India, and the Chief Secretaries of all States and Union Territories; Chairperson, National

Highways Authority of India; and Ministry of Road Transport and Highways, Union of India shall file status-cum-compliance affidavits within a period of eight weeks from today, indicating:

- i. the mechanism established for removal and sheltering of stray animals from highways;
- ii. the constitution and functioning of patrol teams; and
- iii. the operational status of helpline facilities and installation of sign boards displaying helpline numbers.

32. Any reported non-compliance of any of the above directions shall be viewed very seriously and may invite penalties/consequences including but not limited to the initiation of suo moto contempt proceedings against the erring officials.”

It is further submitted by the learned Senior Advocate that the Chief Secretaries of all States and Union Territories have been directed to submit their respective affidavits within a period of eight weeks before the Hon’ble Apex Court.

Considering that the present PIL concerns the issue of stray cattle found on highways and that the matter has been pending before this Court since 2019, during which it has been heard from time to time and various orders have been passed directing all stakeholders to take necessary steps, we deem it proper that the Chief Secretary of the State of Chhattisgarh should also take into account the directions issued by the Hon'ble Apex Court in paragraph 10 of the order dated 07.11.2025.

Mr. Palash Tiwari, learned counsel for the petitioner in WPIL No. 63 of 2019, submits that this Court had observed in its order dated 25.04.2025, as well as in light of the order of the Hon'ble Apex Court, that despite corrective measures taken, if accidents continue to occur and stray cattle are killed on the highways, the accountability of the concerned stakeholders must also be ensured, as specified by the Chief Secretary in his affidavit. He further points out that whenever stray cattle are injured or die in

accidents, there is often no veterinary doctor available, and the toll-free numbers provided for assistance do not respond, thereby causing significant hardship to the general public in extending care to such animals.

In view of the above, since the matter is *subjudice* before the Hon'ble Apex Court and is listed on 13.01.2026, we deem it appropriate to list this matter on **19.01.2026**, as we do not wish to proceed further in this PIL until the Hon'ble Apex Court passes necessary orders in the matter.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice